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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,439	07/27/2001	Robert G. Farris	EFTD-25,758	9711
7590 08/07/2007 Roger N. Chauza HOWISON, CHAUZA, THOMA, HANDLEY & ARNOTT, L.L.P. P.O. Box 741715 Dallas, TX 75374-1715			EXAMINER DASS, HARISH T	
			ART UNIT 3693	PAPER NUMBER
			MAIL DATE 08/07/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/917,439

**Applicant(s)**

FARRIS ET AL.

**Examiner**

Harish T. Dass

**Art Unit**

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-27 and 33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-27 and 33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/17/07 has been entered.

### ***Status of Claims:***

Claims 1 and 28-32 are canceled.

Claims 2-27 and 33 (New claim) are pending.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 33, 2-8, 16, 22-24, 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downing et al. (hereinafter Downing – US 5,963,647) in view of March (US 2002/0016763).

Re. Claim 33, Downing discloses identifying a financial transaction as a transfer of monetary value from an origin to a destination based on a transferor's input to the origin user device [Figure 3; col. 3 line 40 to col. 4 line 3; col. 4 lines 65-67];

selecting data fields required to transmit information necessary to conduct the transaction from a plurality of predetermined data fields used to transmit information for the different types of financial transactions with the origin user device [Figure 4; col. 8 line 45 to col. 9 line 22 (dates, source account, and sender terminal ID, recipient's name, destination country name, etc)],

determining, with the origin user device, a data format for an electronic transaction message between the origin user device and the transaction server that includes the selected data fields for information required to conduct the transaction, the transaction message including first and second message segments wherein the first message segment includes a data field for a code that uniquely identifies (sender terminal ID) the user device from other user devices connected to the transaction server system, the first message segment including a data field that identifies the format of the data fields of the second message segment and the second message segment including data fields necessary to transmit the information required to conduct the financial transaction and [Figure 4; col. 8 line 45 to col. 9 line 22 (dates, source account, and sender terminal ID, recipient's name, destination country name, etc)];

dispensing, with the destination user device, to a transferee at the destination a medium having inherent value without requiring transfer of any physical media to the transferee by the transferor (electronic check) [col. 7 lines 6-17, 60-65; col. 12 line 10].

Downing does not explicitly receiving from the transferor an article having a monetary value in the origin user device at the origin, which monetary value prior to receipt by the first user device is in possession of the transferor [paragraph 63 (Smart card)] to provide privacy to sender and flexibility to transfer money without using his/her account;

omitting those data fields for information relating to the other types of financial transactions conducted on the system,

formatting and encrypting the electronic transaction message;

electronically transmitting the encrypted electronic transaction message from the origin user device to the transaction server (authorization center); and electronically communicating a value associated with the article corresponding to the transferred monetary value from the transaction server to the destination user device at a destination that is geographically different from the origin.

However, March discloses receiving from the transferor an article having a monetary value in the origin user device at the origin, which monetary value prior to receipt by the first user device is in possession of the transferor [paragraph 63 (see Smart card, which is like cash and provides privacy and flexibility to sender to transfer/use monetary value without revealing his/her identity or using his/her account)];

formatting and encrypting the electronic transaction message (encryption) and electronically transmitting the encrypted electronic transaction message from the origin user device to the transaction server (authorization center) [Figure 7; para. 50; 68 (known algorithms)];

electronically communicating a value associated with the article corresponding to the transferred monetary value from the transaction server to the destination user device at a destination that is geographically different from the origin [paragraphs 02-03, 09-10 (see travelers/transfer fund Internationally)].

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Downing and include the above features, as disclosed by March, to allow transferring of funds securely to recipient over unsecured network such as Internet more economically than dedicated ATM network.

Downing or March does not explicitly omitting those data fields for information relating to the other types of financial transactions conducted on the system. However, this is a business choice to reduce overhead of processing extra fields that may not be needed for other transactions such as: depositing, withdrawal, bill payment, etc. For example, for depositing/withdrawal funds, the destination information is not needed. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Downing and March and include omitting those data fields for information relating to the other types of financial transactions conducted on the system which do not require extra fields needed for transferring funds to remote location

and reduce the processing overhead which reduces the cost of operating transaction system.

Re. Claims 2-3, Downing discloses dispensing the medium at a destination device as legal tender and dispensing the legal tender of one country that is different from the legal tender of a country of said origin [Figures 1, 3; col. 2 lines 37-60; col. 4 lines 61-66].

Re. Claims 4-5 and 16, Downing discloses, including receiving at said origin device said article and determining the monetary value associated therewith, subtracting from the monetary value a transaction expense to provide a remainder [abstract; col. 6 lines 18-38 – see debit, fees], including carrying out an exchange rate calculation to define the value of the legal tender of a country of said destination, and including accessing a database to determine an exchange rate, and converting the remainder (balance of an amount after fee) to said medium and dispensing the medium at said destination device [Abstract; figure 5B # S11; col. 6 lines 38-65; col. 7 lines 17-27, lines 44-45; col. 11 lines 27-37; col. 16 lines 57-63]. March discloses account databases for storing transaction information and accessing database is inherent in March. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Downing and include provision for accessing account database to retrieve account information when it is required.

Re. Claims 6-8, Downing discloses providing to a user at said origin device a unique identification of a transaction to be carried out between said origin device and said destination device, receiving an input at said destination device by a user thereof said unique identification, and in response to the input of said unique identification at the destination device, dispensing the medium (cash), wherein said unique identification includes a transaction number and a personal identification number (password/confirmation code) [col. 7 lines 6-17; col. 12 line 10; (CAT) Figure 1 (printer, touch screen)].

Re. Claims 22-23, Downing disclose including electronically transmitting from the origin device a message having a format including at least two variable segments, and a fixed segment having one or more fields defining respective formats of said variable segments, and wherein said fixed segment includes fields defining identification parameters of said origin device, one said variable segment has fields defining a method of payment, and another variable segment has fields defining parameters of a vendor of goods or services [Figure 4 (dates # 45 & # 50, source account # 42, and sender terminal ID are fixed fields. Figure 4 # 41, and recipient's name # 41, destination country # 44, Fees # 47, amount # 48 are variable); col. 8 line 45 to col. 9 line 22].

Re. Claims 24, 26-27, Downing discloses receiving input information via a touch screen input/output device by a user using said origin device, and encrypting (PIN) the signals



input by the user via the touch screen input/output device [Figure 1; col. 6 line 18].

Claims 9-15, 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downing and March as applied to claim 33 above, and further in view of Brody et al (hereinafter Brody –US 5,350,906).

Re. Claims 9-15, 17-19 Downing discloses ATM cards, Deposit card, withdrawal cards, cash [col. 1 line 24 to col. 2 line 13]. Downing or March does not explicitly disclose dispensing the medium at said destination device as a card having written thereon a monetary value and including writing the monetary value on a storage medium of a card, and writing the monetary value on a storage medium comprising a magnetic strip, dispensing the medium at said destination device as a coupon, including dispensing the medium at said destination device as a ticket, and writing the monetary value on a storage medium comprising a chip.

However, dispensing the medium at said destination device as a coupon, including dispensing the medium at said destination device as a ticket, and writing the monetary value on a storage medium comprising a chip are an alternative ways of storing values and are well known (for example, in movie theaters, greyhound bus stops, and airports ticket dispensing machines. ATM machines at the back of the receipts prints valuable coupons, and smart cards, IC cards and phone cards, store gift cards are well known). Brody dispensing the medium at said destination device as a card having written thereon a monetary value and including writing the monetary value on a storage

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medium of a card, and writing the monetary value on a storage medium comprising a magnetic strip [Figure 7 & 8; col. 13 lines 35-38; col. 13 line 67 to col. 14 line 10], including receiving at said origin device a card having stored thereon said monetary value [col. 2 line 44-46 - credit card] capable of storing monetary value. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Downing and March and include dispensing the medium at said destination device as a card having written thereon a monetary value and including writing the monetary value on a storage medium of a card, and writing the monetary value on a storage medium comprising a magnetic strip, as disclosed by Brody and alternative means of storing value cards to allow more customers to use the system and make the system more profitable.

Claims 20-21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downing and March as applied to claim 33 above in view of Randle et al. (hereinafter Randle – US 5,974,146).

Re. Claims 20-21 and 25, Downing discloses bill payment using ATM [col. 1 lines 33-44]. Downing or March does not explicitly disclose an electronic message authorizing payment of an invoice, and including transferring the electronic message to a merchant for payment of the invoice, and including using a kiosk terminal as said destination device. However, Randle discloses these features [col. 1 lines 42-61; col. 5 lines 1-13, lines 29-37; col. 9 lines 18-22; col. 12 lines 18-47] to provide a real time payment

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system using ATM, kiosk, etc. which allows customers to pay bill any time. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Downing and March and include invoice payment (an electronic message authorizing payment of an invoice, and including transferring the electronic message to a merchant for payment of the invoice), as disclosed by Randle, using ATM network for faster service in real time.

### ***Response to Arguments***

2. Applicant's arguments with respect to amended claims have been considered but are moot in view of the new ground(s) of rejection.

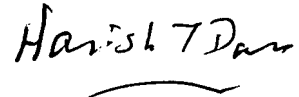
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass  
Examiner  
Art Unit 3693



8/5/07